

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

STEVEN P. SCHELLING	:	CIVIL ACTION
	:	
v.	:	
	:	
JO ANNE B. BARNHART	:	NO. 04-2312

ORDER

AND NOW, this 24th day of May, 2005, upon consideration of the Honorable Linda K. Caracappa's April 26, 2005 Report and Recommendation (docket entry # 11), and plaintiff's failure to object within ten days of the Report and Recommendation, as required by 28 U.S.C. § 636(b)(1) and the April 26, 2005 letter to plaintiff from the Clerk of Court, thereby preventing us from executing our congressionally entrusted task, i.e., "make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made," id., it is hereby ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED;
2. Plaintiff's motion for summary judgment is DENIED;
and
3. Defendant's motion for summary judgment is GRANTED.

BY THE COURT:

/s/ Stewart Dalzell, J.

